

**HinckleyAllenSnyder LLP**  
ATTORNEYS AT LAW

43 North Main Street  
Concord, NH 03301-4934  
TEL: 603.225.4334  
FAX: 603.224.8350  
www.haslaw.com

March 31, 2006

Mail Stop 16  
Director of the U.S. Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

Re: Deposit Account Refunds: U.S. Pat. App. Ser. No. 10/625,789  
U.S. Pat. App. Ser. No. 10/842,330

**REQUEST FOR REFUNDS OF OVERCHARGES TO DEPOSIT ACCOUNT NO. 502834**

Dear Sir/Madam:

An audit of the activity for the above-referenced Deposit Account has revealed the following discrepancies:

(1) On August 1, 2005, an Amendment was filed in U.S. Pat. App. Ser. No. 10/625,789. Extra claims fees of \$100 were due for two new dependent claims, as shown on the attached copy of the Patent Application Fee Determination Record created by the USPTO. On August 2, 2005, our Deposit Account No. 502834 was charged \$100.00 for these extra claims (reference posting 10625789, as shown on the enclosed Deposit Account Statement for August 2005). On August 5, 2005, three days later, the Deposit Account was again charged for the same fee, with the same posting reference number, as is also shown on the enclosed Deposit Account Statement. It is therefore respectfully requested that the overcharge in the amount of \$100.00 be immediately credited to Deposit Account Number 502834.

(2) On December 14, 2004, a Response to a Notice to File Missing Parts was filed in U.S. Pat. App. Ser. No. 10/842,330, with a three month extension of time. On December 21, 2004, our Deposit Account No. 502834 was charged \$1020.00 for the three-month extension of time fee (reference posting 10842330, as shown on the enclosed Deposit Account Statement for December 2004). A Notice of Incomplete Reply was received, to which a response was filed on January 13, 2005, with a four month extension of time. On January 21, 2005, our Deposit Account No. 502834 was charged \$1590.00 for the four-month extension of time fee (also reference posting 10842330, as shown on the enclosed Deposit Account Statement for January 2005). The required refund of the originally paid three-month fee was never credited to the account. It is therefore respectfully requested that the overcharge in the amount of \$1020.00 be immediately credited to Deposit Account Number 502834.

Please refund the above-discussed amounts as soon as possible. If further information is required please contact Rose Young at (603) 225-4334. Thank you for your prompt attention to these matters.

Yours very truly,

  
Norma E. Henderson

Enclosures

(1) USSN: 10/625,789



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**Deposit Account Statement**

**Requested Statement Month:** August 2005  
**Deposit Account Number:** 502834  
**Name:** HINCKLEY ALLEN & SNYDER LLP  
**Attention:** ROSE YOUNG  
**Address:** 43 NORTH MAIN STREET  
**City:** CONCORD  
**State:** NH  
**Zip:** 03301  
**Country:** UNITED STATES OF AMERICA

DATE	SEQ	POSTING REF	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
08/02	56	10625789	MLB-105(6992/103)	1202	\$100.00	\$5,097.00
08/05	10	10625789	MLB-105(6992/103)	1202	\$100.00	\$4,997.00
08/08	5	60676910	11402T	1251	\$120.00	\$4,877.00
08/09	208	E-REPLENISHMENT		9203	-\$100.00	\$4,977.00
08/10	18	10201333	MLB-094 (699	1254	\$1,590.00	\$3,387.00
08/11	3	60676910	11402T	1085	\$250.00	\$3,137.00
08/11	4	E-REPLENISHMENT		9203	-\$1,215.00	\$4,352.00
08/11	5	E-REPLENISHMENT		9203	-\$1,590.00	\$5,942.00
08/12	15	PCT/US05/24550	058676/0125867-PCT	1703	\$52.00	\$5,890.00
08/12	30	E-REPLENISHMENT		9203	-\$370.00	\$8,260.00
08/15	14	5655324	007639/122108/1DIV/CIP	2552	\$1,150.00	\$5,110.00
08/15	15	5655324	007639/122108/1DIV/CIP	2555	\$65.00	\$5,045.00
08/17	4	PCT/US05/24550	058676/0125887-PCT	1602	-\$1,000.00	\$6,045.00
08/17	5	PCT/US05/24550	058676/0125867-PCT	1603	\$300.00	\$5,745.00
08/18	20	60708741	057317/0125292PROV	2005	\$100.00	\$5,645.00
08/23	139	E-REPLENISHMENT		9203	-\$100.00	\$5,745.00
08/26	23	09905831		8021	\$40.00	\$5,705.00
08/26	36	09905831		8021	\$40.00	\$5,665.00
08/31	181	E-REPLENISHMENT		9203	-\$3,051.00	\$8,716.00

START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE
\$5,197.00	\$3,907.00	\$7,426.00	\$8,716.00

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PTO/SB/06 (12-04)

Approved for use through 07/31/2008. OMB 0651-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## PATENT APPLICATION FEE DETERMINATION RECORD

Substitute for Form PTO-768

Application or Doctd. Number:  
70-625-789

APPLICATION AS FILED - PART I		
(Column 1)	(Column 2)	(Column 3)
FOR	NUMBER FILED	NUMBER EXTRA
BASIC FEE (37 CFR 1.16(a), (b), or (c))		
SEARCH FEE (37 CFR 1.16(c), (d), or (e))		
EXAMINATION FEE (37 CFR 1.16(b), (d), or (f))		
TOTAL CLAIMS (37 CFR 1.16(b))	48 minus 20 =	
INDEPENDENT CLAIMS (37 CFR 1.16(b))	14 minus 3 =	
APPLICATION SIZE FEE (37 CFR 1.16(d))	If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).	
MULTIPLE DEPENDENT CLAIM PRESENT (37 CFR 1.16(j))		
* If the difference in column 1 is less than zero, enter "0" in column 2.		
TOTAL		
TOTAL		

## APPLICATION AS AMENDED - PART II

See.

APPLICATION AS AMENDED - PART II		
(Column 1)	(Column 2)	(Column 3)
AMENDMENT #1/05	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total (37 CFR 1.16(d))	50	Minus - 48 = 2
Independent (37 CFR 1.16(d))	3	Minus - 4 = 5
Application Size Fee (37 CFR 1.16(d))		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))		
(Column 1)		
AMENDMENT #2	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total (37 CFR 1.16(d))		Minus -
Independent (37 CFR 1.16(d))		Minus -
Application Size Fee (37 CFR 1.16(d))		
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(j))		
* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.		
** If the "Highest Number Previously Paid For" in this space is less than 20, enter "20".		
*** If the "Highest Number Previously Paid For" in this space is less than 3, enter "3".		
The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.		
This collection of information is required by 37 CFR 1.16. The information is required to obtain or retain a benefit by the public which is to be used by the USPTO to process an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.		
If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2		

\$100  
only

# Hinckley, Allen & Snyder LLP

*Attorneys At Law*43 NORTH MAIN STREET □ CONCORD, NEW HAMPSHIRE 03301  
603-225-4334 □ FAX 603-224-8350 □ [www.haslaw.com](http://www.haslaw.com)

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FROM: Norma E. Henderson, Esq.DATE: March 31, 2006NUMBER OF PAGES TRANSMITTED  
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NUMBER: 571-273-6500NOTES/COMMENTS: Resubmitted Due to Transmission Failure

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## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Fletcher et al	
Application No.: 10/625,789	Group Art Unit: 2876
Filed: 7/23/2003	Examiner: Lee, Seung H.
Title: Methods and Apparatus for Counting and Positioning Using Resonant Tags	
Attorney Docket No.: 056754/0124941	

Commissioner for Patents  
P.O. Box 1450  
Arlington, VA 22313-1450

PRELIMINARY AMENDMENT AND RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed June 30, 2005, the Applicants submit the following:

Preliminary Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.

08/05/2005 SSITHIB1 00000009 502834 10625789

01 FC:1202 100.00 DA

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PAGE 5/13 \*RCVD AT 8/1/2005 8:16:06 PM [Eastern Daylight Time] \*SVR:USPTO-EFXRF-6/2 \*DNIS:3729006 \*CSD:603 434 8361 \*DURATION (mm:ss):06:46  
Adjustment date: 04/26/2006 SDIRETAL  
08/05/2005 SSITHIB1 00000009 502834 10625789  
01 FC:1202 100.00 CR